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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/854,186	05/11/2001	Benson Houglan	59502-272590	7233

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EXAMINER

LEE, PHILIP C

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 03/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/854,186

Applicant(s)

HOUGLAND ET AL.

Examiner

Philip C Lee

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 November 2004.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-19 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1 and 3-19 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

1. This action is responsive to the amendment and remarks filed on November 15, 2004.
2. Claims 1 and 3-19 are presented for examination and claim 2 is cancelled.
3. The text of those sections of Title 35, U.S. code not included in this office action can be found in a prior office action.

Claim Rejections – 35 USC 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 6-8, 10-12, 14-16 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker et al, U.S. Patent 6,732,191 (hereinafter Baker) in view of Kumar et al, U.S. Patent 6,665,731 (hereinafter Kumar).
6. Kumar was cited in the last office action.
7. As per claim 1, Baker taught the invention substantially as claimed comprising:

a controller module including:

a backplane (34, fig. 3),

a data port (inherently comprised in the dual port memory), coupled to said backplane, configured to receive an input/output module (col. 6, lines 54-65), and

a processor, coupled to said backplane, configured to control the input/output module connected said data port (46, fig. 3); and

an interface module removable coupled to said controller module (col. 6, lines 9-28) and including:

a network interface configured to receive an input from a remote computer (col. 6, lines 15-28),

a parser, coupled to the network interface, configured to parse the input, configured to determine a control action encoded within the input (fig. 3; col. 7, line 60-col. 8, line 18), and

a real-time operating system for controlling the operation of said interface module (col. 5, line 35-col.6, line 28).

8. Baker did not teach receiving an input formatted in eXtensible Markup Language from a remote computer. Kumar taught a similar invention including a network interface configured to receive an input formatted in eXtensible Markup Language from a remote computer (col. 3, lines 38-56; col. 4, lines 53-60).

9. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Baker and Kumar because Kumar's teaching of receiving an input formatted in eXtensible Markup Language from a remote computer would increase the functionality of Baker's system by allowing a remote user using a web-based browser application to interact with the hardware components (col. 3, lines 54-56).

10. As per claims 6, 10 and 14, Baker taught the invention substantially as claimed comprising:

receiving an input containing an action relevant to a control function (col. 7, line 17-col. 8, line 18);

executing the action relevant to the control function within a real-time operating system (col. 7, line 17-col. 8, line 18; col. 5, line 35-col. 6, line 28).

11. Baker did not teach receiving an input formatted in eXtensible Markup Language from a remote computer. Kumar taught a similar invention including a network interface configured to receive an input formatted in eXtensible Markup Language from a remote computer (col. 3, lines 38-56; col. 4, lines 53-60).

12. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Baker and Kumar because Kumar's teaching of receiving an input formatted in eXtensible Markup Language from a remote computer would increase the

functionality of Baker's system by allowing a remote user using a web-based browser application to interact with the hardware components (col. 3, lines 54-56).

13. As per claims 7, 11 and 15, Baker and Kumar taught the invention substantially as claimed in claims 6, 10 and 14 above. Kumar further taught comprising:

parsing the eXtensible Markup Language input to determine the action relevant to the control function (col. 5, lines 58-col. 6, lines 7).

14. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Baker and Kumar for the reason set forth in claims 6, 10 and 14 above.

15. As per claims 8, 12 and 16, Baker and Kumar taught the invention substantially as claimed in claims 7, 11 and 15 above. Kumar further taught wherein the eXtensible Markup Language input is received from a remote computer (col. 4, lines 45-56).

16. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Baker and Kumar for the reason set forth in claims 6, 10 and 14 above.

17. As per claim 19, Baker and Kumar taught the invention substantially as claimed in claim 1 above. Baker further taught wherein said interface module is coupled to said processor (fig. 3).

18. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Baker and Kumar in view of "Official Notice".

19. As per claim 18, Baker and Kumar taught the invention substantially as claimed in claim 1 above. Although Baker taught a server computer comprising of a controller module and said interface module, however, Baker did not teach a chassis. "Official Notice" is taken for the concept of a computer consists of a chassis is known and accepted in the art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a chassis because by doing so it would increase the user flexibility by allowing various hardware components to be mounted according to the application desire by the user.

20. Claims 3-5, 9, 13 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker and Kumar in view of Graber et al, U.S. Patent 5,162,986 (hereinafter Graber).

21. Graber was cited in the last office action.

22. As per claim 3, Baker and Kumar taught the invention substantially as claimed in claim 1 above. Baker and Kumar did not specifically detailing the control action with the address of the input/output module. Graber further taught wherein the control action specifies the address of the input/output module (col. 14, lines 57-col. 15, lines 22).

23. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Baker, Kumar and Graber because Graber's system of specifying the address of the input/output module would increase the efficiency of Baker's and Kumar's systems by allowing control action to be directed to the input/output module according to the address in the control action.

24. As per claims 4, 9, 13 and 17, Baker, Kumar and Graber taught the invention substantially as claimed in claims 3, 8, 12 and 16 above. Graber further taught an input analyzer, coupled to the parser, configured to map the control action to the input/output module (col. 14, lines 57-col. 15, lines 22).

25. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Baker, Kumar and Graber because Graber's system of mapping and initiating the control action to the input/output module would increase the efficiency of Baker's and Kumar's systems by allowing control action to be directed to the input/output module according to the address in the control action.

26. As per claim 5, Baker, Kumar and Graber taught the invention substantially as claimed in claim 4 above. Graber further taught a control manager, coupled to the input analyzer, configured to initiate the control action with the input/output module (col. 5, lines 58-col. 6, lines 7; col. 8, lines 32-35).

27. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Baker, Kumar and Graber for the reason set forth in claim 4 above.

28. Applicant's arguments with respect to claims 1 and 3-19, filed 11/15/04, have been fully considered but are not deemed to be persuasive and are moot in view of new ground of rejection.

29. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

30. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Lee whose telephone number is (571) 272-3967. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

